

**Plaintiff
Jackie Fisher's**

**Response in Opposition
to Defendants'**

**Motion for
Summary
Judgment**

**EXHIBIT
49**



David Watson, RN, BSN
Senior Cluster Nurse Manager
Huntsville Cluster
UTMB Correctional Managed Care
Estelle Regional Medical Facility
264 FM-3478
Huntsville, Texas 77320-3322

September 17, 2004

TO: Jackie Fisher, RN, Cluster Nurse Manager

FROM: David Watson, Huntsville Cluster Nurse Manager

RE: Letter of expectation

Recently there was a situation at the Ferguson Unit that resulted in some misunderstandings and miscommunications. This is a letter of expectation that is intended to clarify some of those issues for future reference. This is not a written warning.

You are expected to be familiar with the following guidelines:

- If a provider's order is received with regard to the transfer of a patient who is or has exhibited any signs or symptoms or self harm or harm to others, that patient is to be transferred off the unit in accordance with those orders. In the event a situation should arise such that the patient refuses the transfer, that is an issue that should be resolved between the patient in question and security personnel.
- If you feel a provider does not fully appreciate the concern for a situation wherein a patient is threatening harm to self or others and the provider neglects to order a transfer to a higher level of psychiatric care, you are to act as a patient advocate and call the backup provider for a second consultation. In the event both providers neglect to order a transport you will attempt to contact the medical director for Mental Health Services for additional input. You will carefully document that a provider did not grant the transfer. You will be expected to share the results of the consultation with security staff.
- After hours call documents are intended to protect all parties involved and document care provided. It is in the patient's best interest and that of UTMB to see that these documents are carefully completed and incorporated into the patient's chart as soon as practical, i.e. the next business day. You are expected to know and comply with Nursing Service Policy E-37.2 that addresses this situation. In addition you may elect to create a chart clinic note to further document pertinent concerns or issues.
- You should be aware that a patient may not sign, nor should they be offered, a Refusal of Treatment form for crisis management transfers.

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- In the event the orders you receive from a provider conflict with the patient's desire for treatment, you are to re-contact the provider and advise him/her of the status of the patient so that he/she may give consideration to other alternatives if they so choose. Whatever is decided should be clearly reflected in the documentation.
- You will conduct an in-service(s) with all nursing staff to ensure these guidelines are universally understood and followed. I suggest that management personnel of the unit and/or cluster be invited as well. This should be completed no later than October 15, 2004.
- You are to conduct an in-service(s) with security personnel to make sure they know what to expect under the circumstances outlined above. This should be completed no later than October 15, 2004. They should also be made aware that if they are not comfortable with the decisions made they have the option to appeal to a higher level, i.e. the Huntsville Senior Cluster Nurse Manager or Senior Practice Manager.


Jackie Fisher, RN, CNM

9-22-04
Date

CC: Tom Wooldridge, DON
File

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**Huntsville Unit
Nursing Staff Meeting
Presented by: Jacklyn Fisher, RN, NM/Julia Lawton, PAC
Revised – September 16, 2004**

- 1. New Employees**
- 2. GEM Cards**
- 3. EMS Transport**
 - a. EMR Clinical Summary**
 - b. Brown Chart**
- 4. EMR Clinic Notes/Clerical Group**
 - a. Patient Related EMR Email**
- 5. Mental Health Transfers**
 - a. Refusals**
- 6. Stock Medications**
 - a. Prescription Cards**
- 7. Medications - EMR**
 - a. Special Instructions**
 - b. Stop Dates**
- 8. QI/QM – Infection Control Cultures**
 - a. Email to Ms. Osborne**
- 9. Patient Supplies**
- 10. In-coming Chain**
 - a. Chronic Care Clinic**
 - b. Labs**
- 11. Segregation Offender**
 - a. Appointments**
- 12. Open Discussion**

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**Ferguson Unit
Nursing Staff Meeting
Presented by: Jacklyn Fisher, RN, NM
September 23, 2004
Revision September 23, 2004**

1. **Mr. Watson**
 - a. **Deliberate Indifference**
2. **Ms. Silva**
 - a. **Yearly Suicide Prevention**
3. **GEM Cards**
4. **EMS Transport**
 - a. **EMR Clinical Summary**
 - b. **Brown Chart**
5. **EMR Clinic Notes/Clerical Group**
 - a. **Patient Related EMR Email**
6. **Mental Health Transfers**
 - a. **Refusals**
 - b. **Transfers/Patient Advocate**
7. **DOT Medications**
 - a. **Flowsheets**
8. **Medications - EMR**
 - a. **Special Instructions**
 - b. **Stop Dates**
9. **QI/QM – Infection Control Cultures**
10. **NSC – Weekends**
 - a. **Reminders**
 - b. **MD/MLP Referrals**
11. **In-coming Chain**
 - a. **Chronic Care Clinic**
12. **Segregation Offender**
 - a. **Appointments**
13. **QI/QM**
 - a. **ER Documentation**
 - b. **SCR Complaints**
14. **Discharge**
 - a. **Medication Renewals**
15. **Open Discussion**

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**Goree Unit
Nursing Staff Meeting
Presented by: Jacklyn Fisher, RN, NM
September 30, 2004**

- 1. GEM Cards**
- 2. EMS Transport**
 - a. EMR Clinical Summary**
 - b. Brown Chart**
- 3. EMR Clinic Notes/Clerical Group**
 - a. Patient Related EMR Email**
- 4. EMR**
 - a. Treatments/Procedures**
- 5. DOT Medication**
 - a. Flowsheets**
- 6. Medications – EMR**
 - a. Special Instructions**
 - b. Stop Dates**
- 7. QI/QM – Infection Control Cultures**
- 8. In-coming Chain**
 - a. Chronic Care Clinic**
- 9. QI/QM**
 - a. ER documentation**
 - b. SCR complaints**
- 10. Mental Health**
 - a. Refusals**
 - b. Transfers/Patient Advocate**
- 11. Open Discussion**

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